

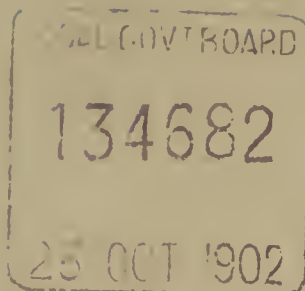
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NORTHWICH UNION.

(8th November, 1900.)

NORTHWICH RURAL AND
NORTHWICH, MIDDLEWICH
AND WINSFORD URBAN
DISTRICTS.

Order Constituting a
Hospital District.



Administrative County of Chester.



Isolation Hospitals Act, 1893.

To the NORTHWICH RURAL DISTRICT COUNCIL.

To the NORTHWICH URBAN DISTRICT COUNCIL.

To THE MIDDLEWICH URBAN DISTRICT COUNCIL.

To the WINSFORD URBAN DISTRICT COUNCIL.

AND to all others whom it may concern.

WHEREAS it is enacted by Section 6 of the Isolation Hospitals Act, 1893, that a County Council may direct an Inquiry to be made by the Medical Officer of Health of the County, as to the necessity of an Isolation Hospital being established for the use of the Inhabitants of any particular District in the County, and in the event of such Medical Officer reporting that such Hospital ought to be established for the use of the Inhabitants of a District, such Council may take the same proceedings in all respects for the establishment of such Hospital as if a petition had been presented by a Local Authority for the establishment of an Isolation Hospital for the District named in the report of such Medical Officer of Health.

AND WHEREAS by Section 8 of the said Act it is enacted that every hospital District constituted under the said Act, shall consist of a single local Area, or two or more local Areas, as defined in the Schedule thereto, and that a local area which is already provided with such Isolation Hospital accommodation as may in the opinion of the County Council be sufficient for the reasonable exigencies of such area, shall not without the assent of the Local Authority of such area testified by a resolution of such Authority be included in a Hospital District under the said Act.

AND WHEREAS the Area under the jurisdiction of the Northwich Rural District Council, and the Areas under the jurisdiction of the Northwich, Middlewich and Winsford Urban District Councils, are local Areas within the meaning of the said Isolation Hospitals Act, 1893.

AND WHEREAS the County Council of the Administrative County of Chester directed the Medical Officer of Health of the said County to enquire as to the existing Isolation Hospitals in the Administrative County, and what further provision should, in his opinion, be made for establishing additional Isolation Hospitals.

AND WHEREAS the County Medical Officer of Health reported to the said County Council that an Isolation Hospital ought to be established for the use of the inhabitants of the local Areas under the jurisdiction of the said Northwich Rural and Northwich, Middlewich and Winsford Urban District Councils.

AND WHEREAS the said County Council upon consideration of the Report of the County Medical Officer of Health directed the holding of a Local Inquiry thereinto, and appointed a Committee consisting of Members of such Council for such purpose.

AND WHEREAS the Local Inquiry so directed to be held as aforesaid, was held on Friday, the 15th day of June, 1900, at 11-30 o'clock in the forenoon, in the Magistrates' Court Room, Police Station, Northwich, due notice of the time and place of the holding of such Inquiry having been given and published within the Local Areas affected thereby by means of advertisements inserted in newspapers circulating in such Areas, and also by means of notices posted therein.

AND WHEREAS the said Committee as the result of such Inquiry so held as aforesaid, reported that in their opinion a Hospital District should be constituted for the four Local Areas under the jurisdiction of the Northwich Rural District Council, and the Northwich, Middlewich and Winsford Urban District Councils, and that an Isolation Hospital or Hospitals for such District should be established.

AND WHEREAS the said County Council is of opinion that the local Areas under the jurisdiction of the Northwich Rural District Council, and the Northwich, Middlewich and Winsford Urban District Councils are not provided with such Isolation Hospital accommodation as is sufficient for the reasonable exigencies of such respective local Areas.

NOW THEREFORE WE, THE CHESHIRE COUNTY COUNCIL, in pursuance of the powers given to us under the Isolation Hospitals Act, 1893, and any and every other power enabling us in that behalf DO HEREBY ORDER as follows:—

ARTICLE I.—This Order shall come into operation on the First day of January, 1901 (hereafter referred to as the appointed day), and such date shall be considered the date of this Order for all purposes.

ARTICLE II.—The Local Areas under the jurisdiction of the Northwich Rural District Council, and the Northwich, Middlewich and Winsford Urban District Councils, and which Areas are hereinafter referred to as the "Constituent Districts," shall be formed into a United District, to be styled the Northwich Rural and Northwich, Middlewich and Winsford Urban Hospital District for the purpose of the provision, maintenance, and management of an Isolation Hospital or Hospitals, under the Isolation Hospitals Act, 1893, for the reception of patients suffering from Infectious Diseases in the Constituent Districts.

ARTICLE III.—The Governing Body shall be the Hospital Committee, which shall be formed as follows, and shall be called the Northwich Rural and Northwich, Middlewich and Winsford Urban Hospital Committee.

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(1) The Hospital Committee shall, subject to sub-section 2 of this Article, consist of 14 Members, to be elected as follows :—

By the Northwich Rural District Council, 6 Representatives.

By the Northwich Urban District Council, 4 Representatives.

By the Middlewich Urban District Council, 1 Representative.

By the Winsford Urban District Council, 3 Representatives.

and shall be chosen from amongst their own Members.

A readjustment of the number of Representatives may be made after the publication of the Census Returns by the agreement of the Northwich Rural District Council and the Northwich, Middlewich and Winsford Urban District Councils and which said Councils are hereinafter referred to as the Constituent Authorities, or in the event of their not agreeing, by the County Council after representation made to them by petition by either of the Constituent Authorities.

(2) If a permanent Isolation Hospital or Hospitals is or are not erected to the satisfaction of the County Council, and on a site to be approved by such Council, within a period of one year or such further period not exceeding one year as the County Council may determine from the appointed day, then if the County Council by Resolution so determine, the Hospital Committee to be formed as aforesaid shall cease to hold office, and a new Committee shall forthwith be formed and come into existence at the expiration of 28 days from the date of such Resolution of the County Council, such new Committee to consist of 18 Members, to be elected as follows :—

By the Cheshire County Council, 10 Representatives.

By the Northwich Rural District Council, 3 Representatives.

By the Northwich Urban District Council, 2 Representatives.

By the Middlewich Urban District Council, 1 Representative.

By the Winsford Urban District Council, 2 Representatives.

And the County Council shall upon such new Committee being formed contribute a capital or annual sum, as they may decide, towards the structural and establishment expenses or either of them of such Hospital or Hospitals.

ARTICLE IV.—Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to Members of Councils of Districts other than Boroughs, shall *mutatis mutandis*, apply to Members of the Hospital Committee.

ARTICLE V.—The first election of the Hospital Committee by the Constituent Authorities, shall be held within two months from the appointed day, or within such further time as the County Council may allow, and the Clerk to each of such Constituent Authorities shall give *seven* clear days previous notice in writing to each Member of his Authority that such election will take place.

ARTICLE VI.—The Clerk to each of the Constituent Authorities shall notify in writing to the Clerk of the County Council within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as Members of the Hospital Committee.

ARTICLE VII.—A Member of the Hospital Committee shall continue in Office until the expiration of the period for which he was elected a Member of the Hospital Committee, or until he dies or resigns, or ceases to be a Member of the Constituent Authority as a Member of which he was qualified to be elected, or otherwise becomes disqualified, whichever shall first happen, provided always that a Member shall not continue in office for a longer period than three years without re-election, and a Member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a Member of such Constituent Authority, shall, subject to the provisions of Article IV. of this Order, be re-eligible as a Member of the Hospital Committee, if at the time of re-election he is qualified to be so re-elected.

ARTICLE VIII.—Any vacancy occurring in the Hospital Committee by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the Vacancy occurs, at a Meeting to be held within two months of such vacancy occurring, and the Clerk to the Constituent Authority shall forthwith notify in writing to the Clerk to the Hospital Committee the name, address and occupation of the person elected to fill such vacancy.

The person elected to fill any vacancy shall hold office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

ARTICLE IX (1).—The time and place of holding the first Meeting of the Hospital Committee shall be fixed by the County Council, and notice of the Meeting shall be sent to the Members of the Hospital Committee by the Clerk to the County Council at least 14 days before the Meeting; the subsequent ordinary Meetings of the Hospital Committee shall be held at such times and places as the Hospital Committee shall appoint, and at all the Meetings of the Hospital Committee five Members shall form a quorum.

(2).—An Extraordinary Meeting shall be summoned by the Clerk to the Hospital Committee when a requisition for that purpose is addressed to him by the Chairman, or any three Members of the Hospital Committee.

(3).—Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such Extraordinary Meeting.

(4).—Notices of all Meetings of the Hospital Committee shall be delivered or sent by post so as to reach the last known place of abode or business in England of each Member of the Hospital Committee three clear days before the day of Meeting, or at such earlier time as the Hospital Committee may from time to time direct.

(5).—The Hospital Committee may from time to time appoint Sub-Committees, consisting of Members of the Hospital Committee, for the exercise of any powers which, in the opinion of the Hospital Committee, can be properly exercised by Sub-Committees, but the Acts of every such Sub-Committee shall, unless otherwise directed by the Hospital Committee, be submitted to the Hospital Committee for approval, provided that a Sub-Committee so appointed shall in no case be authorized to borrow money or to issue any precept for contributions, or to enter into any contracts, and it shall be subject to the provisions of the Standing Orders hereinafter mentioned.

(6).—The Hospital Committee shall, subject to the approval of the County Council, from time to time make, vary, or revoke Standing Orders for the convening of their Meetings for the regulation of their proceedings and business, and for regulating the quorum and proceedings of their Sub-Committees.

(7).—The Hospital Committee shall from time to time make or vary the list of duties of the various officers and persons appointed by them.

(8).—The Hospital Committee shall have full powers of providing a Hospital by purchase or otherwise, and of managing and maintaining the same when provided, but shall have no power of raising money by loan for the purpose of such Hospital.

ARTICLE X.—The Hospital Committee shall at their first Meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require appoint a Chairman (who shall, subject to the provisions of Articles VII. and VIII. of this Order, continue Chairman for

such period not exceeding one year, as may be determined by the Hospital Committee at the time of his appointment), a Treasurer and a Clerk, and they may from time to time appoint one or more Medical Officers (who shall be registered Medical Practitioners legally qualified for the practice of Medicine, Surgery and Midwifery) and such other officers and servants as they think requisite. The Hospital Committee may pay their Treasurer, Clerk, Medical Officers, and other Officers and Servants such reasonable remuneration as they shall deem expedient, and every such Treasurer (and the Clerk and Medical Officer and any other Officer appointed shall, if required by the Hospital Committee) give such security as may from time to time be required by the Hospital Committee, provided that the premium of any Officer may be paid by the Hospital Committee in respect of any such security, and any Officers and Servants shall be removable by the Hospital Committee at their pleasure.

ARTICLE XI.—The purposes for which the Hospital District is formed are the provision, maintenance, and management of a Hospital or Hospitals for the reception of cases of Infectious Diseases, for the use of the Inhabitants of the Constituent Districts, as provided by the Isolation Hospitals Act, 1893.

ARTICLE XII.—Persons shall be admitted into a Hospital provided by the Hospital Committee in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities, viz. :—

- (a) By an order of the Hospital Committee or of either of the Constituent Authorities.
- (b) By an Order of a Medical Officer of Health of either of the Constituent Districts
- (c) By an Order of a Medical Officer, or other Officer or person appointed by the Hospital Committee, and generally or from time to time authorized in that behalf by the Hospital Committee.
- (d) By an Order of a Justice made under the provisions of the Public Health Act, 1875, or of any statute amending or extending the same.

provided that if any Local Authority or other public body, or private person or persons and the Hospital Committee agree for the reception into the Hospital of persons, any such person may be admitted into the Hospital in such manner as such Agreement shall prescribe.

ARTICLE XIII.—For the purposes of this Order the following Sections of “The Public Health Act 1875,” “The Public Health (Officers) Act 1884,” and “The Public Health (Members and Officers) Act 1885,” shall apply and the Hospital Committee shall have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities and obligations of an Urban Sanitary Authority under the same Sections, so far as the same are applicable, viz. :—

Of “The Public Health Act,” 1875 :—

Sections 122, 123, 131, and 132 relating to means of Disinfection, Infectious Diseases and Hospitals.

Sections 173, and 174 (except Sub-section 3) relating to Contracts.

Sections 175, 176, and 177 relating to purchase or letting of lands.

Sections 179 to 181 both inclusive, relating to Arbitration.

Sections 192 to 197 both inclusive, and Sections 205 and 206 relating to Officers and conduct of business of Local Authorities.

Sections 245, 247 (as amended by "The District Auditors Act 1879") 249 and 250, relating to Audit.

Sections 251, 253, and 254, and Sections 258 to 267 both inclusive and Section 269 as amended by "The Summary Jurisdiction Act 1884," relating to legal proceedings.

Section 298, as to Costs of Provisional Orders.

Sections 306 to 309 both inclusive, relating to miscellaneous provisions.

Of "The Public Health (Officers) Act," 1884, Section 2.

Of "The Public Health (Members and Officers) Act," 1885, Section 2.

ARTICLE XIV.—The Hospital Committee shall for the purposes of the Sections of the Public Health Act, with regard to the "prevention of Epidemic Diseases," be a Local Authority, so as to enable the Local Government Board, by any regulations under those Sections, to confer powers and to impose duties on the Hospital Committee, and so far as regards any powers so conferred and any duties so imposed; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said Sections on the Constituent Authorities, or either of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

ARTICLE XV.—Until a Hospital provided by the Hospital Committee is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a temporary hospital or hospitals, for the use of the inhabitants of their District.

ARTICLE XVI.—All the expenses (with the exception of patients' expenses and special patients' expenses as defined by the Isolation Hospitals Act, 1893) shall be defrayed out of a Common Fund, to which all receipts shall be carried, and to which the Constituent Authorities shall contribute in proportion to the number of Inhabitants in each Constituent District, such number to be ascertained from the last published Census, at the time of issuing the precepts for obtaining payment of such contributions.

ARTICLE XVII.—In the event of any money being advanced by the County Council for the purpose of defraying the structural expenses of a Hospital or Hospitals by the Hospital Committee, the same shall be repaid in such manner as the County Council may, when such money is so advanced by them, direct, in accordance with Section 22 of the Isolation Hospitals Act, 1893, and the said Hospital Committee shall arrange for the repayment thereof accordingly.

ARTICLE XVIII.—In the event of the Hospital Committee failing or neglecting or otherwise making default in repaying to the County Council any such sum of money, or the instalments thereof, for fourteen days after the same shall become due, then if the County Council, or any Committee thereof to whom the power for such purpose may be delegated, shall so determine, the said Hospital Committee shall thenceforth cease to hold office, and their place shall be filled by a Committee to be elected as named in Sub-Section 2 of Article 3 of this Order, and such substituted Committee shall hold office until payment of all sums of money due to the County Council is made, and immediately thereon the previously existing Committee shall return to office in lieu of the substituted Committee provided for in this Article.

ARTICLE XIX (1).—The cost of maintenance of patients to be paid by the Constituent Authorities from whose Districts the patients have been received into the Hospital, shall be ascertained as follows, viz. :

Within fourteen days after Lady Day and Michaelmas Day in each year the Hospital Committee shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the Hospital during the previous half year.

(2.)—The Clerk to the Hospital Committee shall, within twenty-one days after Lady Day and Michaelmas Day, in each year, transmit to the Clerk of each Constituent Authority an account showing in respect of the patients received into the Hospital from the District of such Authority, after deducting any sums recovered by the Hospital Committee from or repaid to the Hospital Committee by or for such patients.

(a) The name of each patient.

(b) The number of weeks (and for the purposes of this Order any period less than seven days be calculated as one week) during such half-year each patient has remained in the Hospital ; and

(c) The amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority.

(3.)—The amount shewn by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the Hospital, and shall be included in the precepts which the Hospital Committee issue to the Constituent Authorities respectively, under Section 18 of “the Isolation Hospitals Act, 1893,” stating the sums to be contributed by the Constituent Authorities towards the Common Fund of the Hospital Committee, and in case of default, shall be recovered in like manner as the sums to be contributed towards such Common Fund.

ARTICLE XX.—The accounts of the Hospital Committee shall, at all reasonable times, be open, without payment, to inspection and transcription by any Member of either of the Constituent Authorities, or by any Officer of either of the Constituent Authorities authorised by them for that purpose. or to any Member or Officer of the County Council ; and the Hospitals buildings and appliances and all other property of the Hospital Committee shall be open to inspection by any Member or Officer of the County Council or by any person having an authority to inspect the same signed by the Chairman and countersigned by the Clerk for the time being of the County Council.

ARTICLE XXI.—Two copies of the Auditor’s report and of the Abstract of the Accounts of the Hospital Committee, when duly audited, shall be sent by the Clerk of the Hospital Committee, to the Clerk and Treasurer of each of the Constituent Authorities and to the Clerk and the Medical Officer of Health of the County Council.

ARTICLE XXII.—If at any time any new Urban District is formed, including the whole or any part of either of the Constituent Districts, or boundaries of either of the Constituent Districts are otherwise altered, or the whole of either of the Constituent Districts is created or included in a Municipal Borough, then and in every such case the County Council may by Order, to be published as they shall direct, make such provisions as to them seems fit for adapting the provisions of this Order to the alterations so made and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

ARTICLE XXIII.—If at any time any difference arises between the Hospital Committee on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall (provided such dispute is not to be settled in a manner otherwise provided herein) be referred to and settled by arbitration by an arbitrator or arbitrators appointed by the County Council and the provisions of the Arbitration Act, 1889, shall, as far as practicable, apply.

ARTICLE XXIV.—Nothing in this Order shall in anyway affect the power of the said County Council of inspecting any hospital or hospitals, maintained under the foregoing provisions, or of authorizing any of its officials to inspect such hospital or hospitals.

ARTICLE XXV.—This Order may be cited as the Northwich Rural and Northwich, Middlewich and Winsford Urban Hospital (County of Chester) Order, 1900.

Given under the Common Seal of the
Cheshire County Council, this eighth
day of November, one thousand nine
hundred.

GEORGE DIXON,
Chairman of the Council.

REGINALD POTTS,
Clerk of the Council.



Memorandum.

The Northwich Rural and the Northwich and Winsford Urban District Councils appealed to the Local Government Board, against this Order, and the Board, after due enquiry by Order dated the 10th day of August, 1901, dismissed such Appeals and confirmed the Order, subject to the modification that the 1st day of September, 1901, should be substituted for the 1st day of January, 1901, in Article 1 of the Order, as the date on which the Order shall come into operation